



SPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: BANISTER
SERIAL NO.: 10/786,718
FILED: February 24, 2004
FOR: Pulse Activated Actuator Pump System
GROUP: 3646
DOCKET: MEDIPACS 04.03

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicant hereby attaches the PCT International Preliminary Report on Patentability dated August 26, 2005 of the corresponding PCT application. The several applied prior art references are already of record.

This Supplemental Information Disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of an official report by a PCT examiner. The relevance to the pending U.S. patent application is that the references were cited in a counterpart PCT patent application on the same

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567



subject matter. However, no independent analysis of the accuracy of the statement of PCT examiner or the claims of the PCT application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the PCT examiner's comments submitted therewith.

The enclosed Supplemental Information Disclosure Statement is being submitted within three months of the PCT International Preliminary Report on Patentability, as certified in the attached Certification for Information Disclosure Statement, and before the first action on the merits. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are additional fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,

Norman P. Soloway
Attorney for Applicant
Registration No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2005 at Tucson, Arizona.

By:

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
MEDIPACS 04.03

In Re Application Of: **BANISTER**

Application No.
10/786,718

Filing Date
February 24, 2004

Examiner

Customer No.
27667

Group Art Unit
3646

Confirmation No.
2762

Invention: **PULSE ACTIVATED ACTUATOR PUMP SYSTEM**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

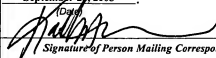
Norman P. Soloway
Registration No. 24,315
HAYES SOLOWAY P.C.
3450 E. Sunrise Drive, Suite 140
Tucson, AZ 85718

Dated: **September 28, 2005**

Certificate of Mailing by First Class Mail

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

September 28, 2005


Signature of Person Mailing Correspondence

Kathryn Grimes

Typed or Printed Name of Person Mailing Correspondence

CC: